

**SEALED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2020 SEP 24 PM 4:48

SEALED

4:20CR3099

**INDICTMENT**

Count 1: 18 U.S.C. § 2244(a)(2)

Count 2: 18 U.S.C. § 2244(b)

Count 3: 49 U.S.C. § 46506(2)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

IAN WAGNER,

Defendant.

**INDICTMENT**

The Grand Jury charges that

**COUNT ONE**

On or about October 6, 2017, on an aircraft in the special aircraft jurisdiction of the United States, namely Frontier Airlines Flight 605 from Indianapolis, Indiana to Denver, Colorado, the defendant, IAN WAGNER, knowingly engaged in and caused sexual contact with another person, Victim 1, who was at the time incapable of appraising the nature of the conduct and physically incapable of declining participation in, and communicating an unwillingness to engage in, the sexual contact. The sexual contact involved the intentional touching, directly and through the clothing, of Victim 1's inner thigh with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person. The sexual contact began, continued, and was completed while the aircraft was in flight over the District of Nebraska.

In violation of Title 18, United States Code, Section 2244(a)(2) and Title 49, United States Code, Section 46506.

COUNT TWO

On or about October 6, 2017, on an aircraft in the special aircraft jurisdiction of the United States, namely Frontier Airlines Flight 605 from Indianapolis, Indiana to Denver, Colorado, the defendant, IAN WAGNER, knowingly engaged in and caused sexual contact with another person, Victim 1, without Victim 1's permission. The sexual contact involved the intentional touching, directly and through the clothing, of Victim 1's inner thigh with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person. The sexual contact began, continued, and was completed while the aircraft was in flight over the District of Nebraska.

In violation of Title 18, United States Code, Section 2244(b) and Title 49, United States Code, Section 46506.

COUNT THREE

On or about October 6, 2017, on an aircraft in the special aircraft jurisdiction of the United States, namely Frontier Airlines Flight 605 from Indianapolis, Indiana to Denver, Colorado, the defendant, IAN WAGNER, committed an intentional act of obscene and indecent exposure of his genitals and engaging in masturbation in a public place, which if committed in the District of Columbia would violate D.C. Code Section 22-1312 (formerly D.C. Code Section 22-1112). The act began, continued, and was completed while the aircraft was in flight over the District of Nebraska.

In violation of Title 49, United States Code, Section 46506(2).

A TRUE BILL

Foreperson

The United States of America requests that trial of this case be held in Lincoln, Nebraska,  
pursuant to the rules of this Court.

Joseph P. Kelly  
United States Attorney

By: Tessie Smith  
Tessie Smith  
Assistant United States Attorney

Brian C. Rabbitt  
Acting Assistant Attorney General  
United States Department of Justice  
Criminal Division

By: Jamie B. Perry  
for Jamie B. Perry  
Trial Attorney  
Human Rights and Special Prosecutions  
Section